

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:12-CR-320-BO


TONYA LONG, )  
Petitioner, )  
 )  
v. )  
 )  
UNITED STATES OF AMERICA, )  
Respondent. )

**ORDER AND NOTICE**

Notice is hereby given to the petitioner, Tonya Long, that the Court intends to construe her letter to request a 2255 continuation and new representation [DE 34] as a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. The Court GRANTS petitioner thirty (30) days from the filing of this Notice to confirm or deny her intent to file a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. If a response is not filed within this time, this Court will presume that petitioner is not seeking such relief and her motion will be dismissed. Should the petitioner notify this Court of her intention to file a motion to vacate, the Clerk of Court is DIRECTED to provide petitioner with the appropriate forms on which to file such a motion.

The Court further warns the petitioner of the effects of filing a motion pursuant to section 2255, and advises her as to the requirements of section 2255. *See Castro v. United States*, 540 U.S. 375, 377, 383 (2003); *see also United States v. Emmanuel*, 288 F.3d 644, 649 (4th Cir. 2002).

DONE AND ORDERED, this 16 day of April, 2014.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE